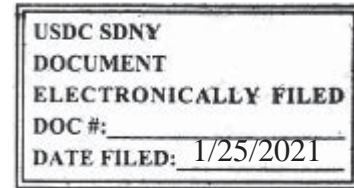


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



E.G., *et al.*,

Plaintiffs,

—v—

City of New York, *et al.*,

Defendants.

20-cv-9879 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On January 24, 2021, the Defendant filed a motion to dismiss. Dkt. No. 61. Pursuant to Rule 3.F of this Court’s Individual Practices in Civil Cases, on or before February 8, 2021, Plaintiffs must notify the Court and their adversaries in writing whether (1) they intend to file an amended pleading and when they will do so or whether (2) they will rely on the pleading being attacked. Plaintiffs are on notice that declining to amend her pleadings to timely respond to a fully briefed argument in the Defendants’ January 24, 2021 motion to dismiss may well constitute a waiver of the Plaintiffs’ right to use the amendment process to cure any defects that have been made apparent by the Defendants’ briefing. *See Loreley Fin. (Jersey) No. 3 Ltd. v. Wells Fargo Sec., LLC.*, 797 F.3d 160, 190 (2d Cir. 2015) (leaving “unaltered the grounds on which denial of leave to amend has long been held proper, such as undue delay, bad faith, dilatory motive, and futility”).

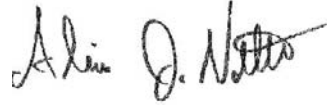
If Plaintiffs choose to amend, Defendants may then (a) file an answer; (b) file a new motion to dismiss; or (c) submit a letter stating that they rely on the initially-filed motion to dismiss.

Nothing in this Order alters the time to amend, answer or move provided by the Federal

Rules of Civil Procedure or Local Rules.

SO ORDERED.

Dated: January 25, 2021  
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", with a long horizontal flourish extending to the right.

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ALISON J. NATHAN  
United States District Judge